

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

FERRIN GREEN and KNOW YOUR DOPE L.L.C.,

Plaintiffs,

-against-

RUN-DMC BRAND LLC, NBCUNIVERSAL
MEDIA, LLC, PEACOCK TV LLC, BELIEVE
ENTERTAINMENT GROUP, LLC, ERIK
BLAMOVILLE SR., and ERIK BLAMOVILLE JR,

Defendants.

Case: 1:24-cv-03900-ER

ANSWER

Defendants NBCUNIVERSAL MEDIA, LLC (“NBC”), PEACOCK TV LLC (“Peacock”), and BELIEVE ENTERTAINMENT GROUP, LLC (“Believe”) (collectively “Defendants”), by and through their attorneys, Wilson Elser Moskowitz Edelman & Dicker, LLP, hereby answer and respond to the allegations in the First Amended Complaint (Dkt. No. 38) (“Complaint”) of Plaintiffs FERRIN GREEN and KNOW YOUR DOPE L.L.C. (“Plaintiffs”) in the above action as follows:

ANSWERING “NATURE OF THE ACTION”

1. Defendants deny the allegations contained in paragraph 1 of the Complaint, except to admit that Plaintiffs purport to bring this action to vindicate their rights but Defendants deny that Plaintiffs are entitled to any relief. All allegations not expressly admitted are denied.
2. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 2 of the Complaint, and on that basis deny the allegations contained therein.
3. Defendants deny the allegations contained in the first sentence of paragraph 3 of

the Complaint. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in the second sentence of paragraph 3 of the Complaint, and on that basis deny the allegations contained therein.

4. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 4 of the Complaint, and on that basis deny the allegations contained therein.

5. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 5 of the Complaint, and on that basis deny the allegations contained therein.

6. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 6 of the Complaint, and on that basis deny the allegations contained therein.

7. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 7 of the Complaint, and on that basis deny the allegations contained therein.

8. Defendants deny the allegations contained in paragraph 8 of the Complaint.

9. Defendants deny the allegations contained in paragraph 9 of the Complaint.

10. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 10 of the Complaint, and on that basis deny the allegations contained therein.

11. Defendants deny knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 11 of the Complaint, except to deny any allegations of infringement.

12. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 12 of the Complaint, and on that basis deny the allegations contained therein.

13. With respect to the allegations contained in paragraph 13 of the Complaint, Defendants admit that Plaintiffs purport to seek damages, equitable relief, impoundment, and a declaration, but Defendants deny that Plaintiffs are entitled to any of the relief sought. All allegations not expressly admitted are denied.

14. Defendants deny the allegations contained in paragraph 14 of the Complaint.

15. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 15 of the Complaint, and on that basis deny the allegations contained therein.

ANSWERING “PARTIES AND JURISDICTION”

16. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 16 of the Complaint, and on that basis deny the allegations contained therein.

17. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 17 of the Complaint, and on that basis deny the allegations contained therein.

18. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 18 of the Complaint, and on that basis deny the allegations contained therein.

19. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 19 of the Complaint, and on that basis deny the

allegations contained therein.

20. With respect to the allegations contained in paragraph 20 of the Complaint, Defendants admit that NBCUniversal Media, LLC is a Delaware Limited Liability Company with a place of business at 30 Rockefeller Plaza, New York, New York. All allegations not expressly admitted are denied.

21. With respect to the allegations contained in paragraph 21 of the Complaint, Defendants admit that Peacock TV LLC is a Delaware Limited Liability Company with a place of business at 30 Rockefeller Plaza, New York, New York. All allegations not expressly admitted are denied.

22. With respect to the allegations contained in paragraph 22 of the Complaint, Defendants admit that Believe Entertainment Group, LLC is a New York Limited Liability Company, but deny the remaining allegations set forth in paragraph 22 of the Complaint. All allegations not expressly admitted are denied.

23. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 23 of the Complaint, and on that basis deny the allegations contained therein.

24. With respect to the allegations contained in paragraph 24 of the Complaint which set forth conclusions of law, no response is required. To the extent a response is deemed required, Defendants admit that the cited federal statutes confer subject matter jurisdiction, and respectfully refer all questions of law to this Honorable Court. All allegations not expressly admitted are denied.

25. With respect to the allegations contained in paragraph 25 which set forth conclusions of law, no response is required. Defendants respectfully refer all questions of law to

this Honorable Court. All allegations not expressly admitted are denied.

ANSWERING “FACTS”

26. With respect to the allegations contained in paragraph 26 of the Complaint, upon information and belief, Defendants admit that Run-DMC performed at the Hip-Hop 50 live event at Yankee Stadium on August 11, 2023. All allegations not expressly admitted are denied.

27. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 27 of the Complaint, and on that basis deny the allegations contained therein.

28. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 28 of the Complaint, and on that basis deny the allegations contained therein.

29. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 29 of the Complaint, and on that basis deny the allegations contained therein. Defendants expressly deny any allegation of infringement.

30. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 30 of the Complaint, and on that basis deny the allegations contained therein.

31. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 31 of the Complaint, and on that basis deny the allegations contained therein.

32. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 32 of the Complaint, and on that basis deny the allegations contained therein.

33. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 33 of the Complaint, and on that basis deny the allegations contained therein.

34. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 34 of the Complaint, and on that basis deny the allegations contained therein.

35. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 35 of the Complaint, and on that basis deny the allegations contained therein.

36. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 36 of the Complaint, and on that basis deny the allegations contained therein.

37. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 37 of the Complaint, and on that basis deny the allegations contained therein.

38. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 38 of the Complaint, and on that basis deny the allegations contained therein.

39. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 39 of the Complaint, and on that basis deny the allegations contained therein.

40. With respect to the allegations contained in paragraph 40 of the Complaint which set forth legal conclusions of law, no response is required, and Defendants refer all questions of

law to this Honorable Court. To the extent a response is deemed required, Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 40 of the Complaint, and on that basis deny the allegations contained therein.

41. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 41 of the Complaint, and on that basis deny the allegations contained therein.

42. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 42 of the Complaint, and on that basis deny the allegations contained therein.

43. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 43 of the Complaint, and on that basis deny the allegations contained therein.

44. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 44 of the Complaint, and on that basis deny the allegations contained therein.

45. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 45 of the Complaint, and on that basis deny the allegations contained therein.

46. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 46 of the Complaint, and on that basis deny the allegations contained therein.

47. Defendants deny knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 47 of the Complaint, except to admit that Believe received

copies of the photographs-in-suit from representatives of Run-DMC. All allegations not expressly admitted are denied.

48. Defendants deny the allegations contained in paragraph 48 of the Complaint as phrased, except to admit that Believe believed that Run-DMC's representatives had authority to authorize its use of the photographs-in-suit. All allegations not expressly admitted are denied.

49. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 49 of the Complaint, and on that basis deny the allegations contained therein.

50. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 50 of the Complaint, and on that basis deny the allegations contained therein.

51. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 51 of the Complaint, and on that basis deny the allegations contained therein.

52. With respect to the allegations contained in paragraph 52 of the Complaint, Defendants admit that Believe's representatives received correspondence from Plaintiff Shoebio in February 2024 regarding the photographs-in-suit, but Defendants deny all other allegations contained in paragraph 52 of the Complaint. All allegations not expressly admitted are denied.

53. With respect to the allegations contained in paragraph 53 of the Complaint, Defendants admit that Believe's representatives corresponded with Plaintiff Shoebio in February 2024, but Defendants deny Plaintiffs' categorization of those discussions. All allegations not expressly admitted are denied.

54. Defendants deny the allegations contained in paragraph 54 of the Complaint.

55. Defendants deny knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 55 of the Complaint, except to admit that NBCUniversal did not correspond with Plaintiff Shoebio in February 2024. All allegations not expressly admitted are denied.

56. Defendants deny the allegations contained in paragraph 56 of the Complaint as phrased, except to admit that the photographs-in-suit were gratuitously removed from the subject docuseries and Plaintiffs were made aware of their removal on or about February 12, 2024. All allegations not expressly admitted are denied.

57. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 57 of the Complaint, and on that basis deny the allegations contained therein.

58. Defendants deny the allegations contained in paragraph 58 of the Complaint.

59. Defendants deny the allegations contained in paragraph 59 of the Complaint.

ANSWERING “FIRST CAUSE OF ACTION”

60. Defendants repeat and incorporate the answers and allegations set forth at paragraphs 1 through 59 above as if fully set forth herein.

61. With respect to the allegations contained in paragraph 61 of the Complaint which set forth legal conclusions of law, no response is required, and Defendants refer all questions of law to this Honorable Court. To the extent a response is deemed required, Defendants deny knowledge or information sufficient to form a belief as to the truth of the allegations.

62. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 62 of the Complaint, and on that basis deny the allegations contained therein.

63. With respect to the allegations contained in paragraph 63 of the Complaint which set forth legal conclusions of law, no response is required, and Defendants refer all questions of law to this Honorable Court. To the extent a response is deemed required, Defendants deny knowledge or information sufficient to form a belief as to the truth of the allegations.

64. With respect to the allegations contained in paragraph 64 of the Complaint which set forth legal conclusions of law, no response is required, and Defendants refer all questions of law to this Honorable Court. To the extent a response is deemed required, Defendants deny knowledge or information sufficient to form a belief as to the truth of the allegations.

65. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 65 of the Complaint, and on that basis deny the allegations contained therein.

66. With respect to the allegations contained in paragraph 66 of the Complaint which set forth legal conclusions of law, no response is required, and Defendants refer all questions of law to this Honorable Court. To the extent a response is deemed required, Defendants deny knowledge or information sufficient to form a belief as to the truth of the allegations.

67. With respect to the allegations contained in paragraph 67 of the Complaint, Defendants deny any unauthorized use, and lack knowledge or information sufficient to form a belief as to the truth of the remaining allegations contained in paragraph 67 of the Complaint.

68. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 68 of the Complaint, and on that basis deny the allegations contained therein.

69. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 69 of the Complaint, and on that basis deny the

allegations contained therein.

70. Defendants deny knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 70 of the Complaint, except to admit that Believe received copies of the photographs-in-suit from representatives of Run-DMC. All allegations not expressly admitted are denied.

71. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 71 of the Complaint, and on that basis deny the allegations contained therein.

72. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 72 of the Complaint, and on that basis deny the allegations contained therein.

73. Defendants deny the allegations contained in paragraph 73 of the Complaint.

74. Defendants deny the allegations contained in paragraph 74 of the Complaint as phrased, except to admit that Defendants never obtained a license for the photographs-in-suit directly from Plaintiffs. All allegations not expressly admitted are denied.

75. Defendants deny the allegations contained in paragraph 75 of the Complaint.

76. Defendants deny the allegations contained in paragraph 76 of the Complaint.

77. Defendants deny the allegations contained in paragraph 77 of the Complaint.

78. Defendants deny the allegations contained in paragraph 78 of the Complaint.

79. Defendants deny knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 79 of the Complaint.

80. Defendants deny the allegations contained in paragraph 80 of the Complaint.

81. Defendants deny the allegations contained in paragraph 81 of the Complaint.

82. Defendants deny the allegations contained in paragraph 82 of the Complaint.

83. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 83 of the Complaint, and on that basis deny the allegations contained therein.

ANSWERING “SECOND CAUSE OF ACTION”

84. Defendants repeat and incorporate the answers and allegations set forth at paragraphs 1 through 83 above as if fully set forth herein.

85. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 85 of the Complaint, and on that basis deny the allegations contained therein.

86. With respect to the allegations contained in paragraph 86 of the Complaint which set forth legal conclusions of law, no response is required, and Defendants refer all questions of law to this Honorable Court. To the extent a response is deemed required, Defendants deny knowledge or information sufficient to form a belief as to the truth of the allegations.

87. With respect to the allegations contained in paragraph 87 of the Complaint which set forth legal conclusions of law, no response is required, and Defendants refer all questions of law to this Honorable Court. To the extent a response is deemed required, Defendants deny knowledge or information sufficient to form a belief as to the truth of the allegations.

88. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 88 of the Complaint, and on that basis deny the allegations contained therein.

89. With respect to the allegations contained in paragraph 89 of the Complaint which set forth legal conclusions of law, no response is required, and Defendants refer all questions of

law to this Honorable Court. To the extent a response is deemed required, Defendants deny knowledge or information sufficient to form a belief as to the truth of the allegations.

90. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 90 of the Complaint, and on that basis deny the allegations contained therein.

91. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 91 of the Complaint, and on that basis deny the allegations contained therein.

92. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 92 of the Complaint, and on that basis deny the allegations contained therein.

93. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 93 of the Complaint, and on that basis deny the allegations contained therein.

94. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 94 of the Complaint, and on that basis deny the allegations contained therein.

95. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 95 of the Complaint, and on that basis deny the allegations contained therein.

96. With respect to the allegations contained in paragraph 96 of the Complaint which set forth conclusions of law, no response is required. To the extent a response is deemed required, Defendants admit that the cited federal statute relates to declaratory relief, and Defendants

respectfully refer all questions of law to this Honorable Court. All allegations not expressly admitted are denied.

97. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 97 of the Complaint, and on that basis deny the allegations contained therein.

98. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 98 of the Complaint, and on that basis deny the allegations contained therein.

ANSWERING “THIRD CAUSE OF ACTION”

99. Defendants repeat and incorporate the answers and allegations set forth at paragraphs 1 through 98 above as if fully set forth herein.

100. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 100 of the Complaint, and on that basis deny the allegations contained therein.

101. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 101 of the Complaint, and on that basis deny the allegations contained therein.

102. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 102 of the Complaint, and on that basis deny the allegations contained therein.

103. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 103 of the Complaint, and on that basis deny the allegations contained therein.

104. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 104 of the Complaint, and on that basis deny the allegations contained therein.

105. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 105 of the Complaint, and on that basis deny the allegations contained therein.

106. With respect to the allegations contained in paragraph 106 of the Complaint which set forth conclusions of law, no response is required. To the extent a response is deemed required, Defendants deny knowledge or information sufficient to form a belief as to the truth of the allegations.

107. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 107 of the Complaint, and on that basis deny the allegations contained therein.

108. Defendants deny the allegations contained in paragraph 108 of the Complaint.

109. Defendants deny the allegations contained in paragraph 109 of the Complaint.

110. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 110 of the Complaint, and on that basis deny the allegations contained therein.

111. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 111 of the Complaint, and on that basis deny the allegations contained therein.

ANSWERING “FOURTH CAUSE OF ACTION”

112. Defendants repeat and incorporate the answers and allegations set forth at

paragraphs 1 through 111 above as if fully set forth herein.

113. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 113 of the Complaint, and on that basis deny the allegations contained therein.

114. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 114 of the Complaint, and on that basis deny the allegations contained therein.

115. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 115 of the Complaint, and on that basis deny the allegations contained therein.

116. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 116 of the Complaint, and on that basis deny the allegations contained therein.

117. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 117 of the Complaint, and on that basis deny the allegations contained therein.

118. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 118 of the Complaint, and on that basis deny the allegations contained therein.

119. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 119 of the Complaint, and on that basis deny the allegations contained therein.

120. Defendants lack knowledge or information sufficient to form a belief as to the truth

of the allegations contained in paragraph 120 of the Complaint, and on that basis deny the allegations contained therein.

121. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 121 of the Complaint, and on that basis deny the allegations contained therein.

ANSWERING “FIFTH CAUSE OF ACTION”

122. Defendants repeat and incorporate the answers and allegations set forth at paragraphs 1 through 121 above as if fully set forth herein.

123. Defendants deny the allegations contained in paragraph 123 of the Complaint.

124. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 124 of the Complaint, and on that basis deny the allegations contained therein.

125. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 125 of the Complaint, and on that basis deny the allegations contained therein.

126. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 126 of the Complaint, and on that basis deny the allegations contained therein.

127. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 127 of the Complaint, and on that basis deny the allegations contained therein.

128. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 128 of the Complaint, and on that basis deny the

allegations contained therein.

129. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 129 of the Complaint, and on that basis deny the allegations contained therein.

130. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 130 of the Complaint, and on that basis deny the allegations contained therein.

ANSWERING “SIXTH CAUSE OF ACTION”

131. Defendants repeat and incorporate the answers and allegations set forth at paragraphs 1 through 130 above as if fully set forth herein.

132. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 132 of the Complaint, and on that basis deny the allegations contained therein.

133. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 133 of the Complaint, and on that basis deny the allegations contained therein.

134. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 134 of the Complaint, and on that basis deny the allegations contained therein.

135. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 135 of the Complaint, and on that basis deny the allegations contained therein.

136. Defendants lack knowledge or information sufficient to form a belief as to the truth

of the allegations contained in paragraph 136 of the Complaint, and on that basis deny the allegations contained therein.

137. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 137 of the Complaint, and on that basis deny the allegations contained therein.

138. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 138 of the Complaint, and on that basis deny the allegations contained therein.

139. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 139 of the Complaint, and on that basis deny the allegations contained therein.

140. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 140 of the Complaint, and on that basis deny the allegations contained therein.

141. With respect to the allegations contained in paragraph 141 of the Complaint which set forth conclusions of law, no response is required. To the extent a response is deemed required, Defendants deny knowledge or information sufficient to form a belief as to the truth of the allegations.

142. With respect to the allegations contained in paragraph 142 of the Complaint which set forth conclusions of law, no response is required. To the extent a response is deemed required, Defendants deny knowledge or information sufficient to form a belief as to the truth of the allegations.

143. Defendants lack knowledge or information sufficient to form a belief as to the truth

of the allegations contained in paragraph 143 of the Complaint, and on that basis deny the allegations contained therein.

144. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 144 of the Complaint, and on that basis deny the allegations contained therein.

145. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 145 of the Complaint, and on that basis deny the allegations contained therein.

146. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 146 of the Complaint, and on that basis deny the allegations contained therein.

147. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 147 of the Complaint, and on that basis deny the allegations contained therein.

148. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 148 of the Complaint, and on that basis deny the allegations contained therein.

149. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 149 of the Complaint, and on that basis deny the allegations contained therein.

150. With respect to the allegations contained in paragraph 150 of the Complaint which set forth conclusions of law, no response is required. To the extent a response is deemed required, Defendants deny knowledge or information sufficient to form a belief as to the truth of the

allegations.

151. With respect to the allegations contained in paragraph 151 of the Complaint which set forth conclusions of law, no response is required. To the extent a response is deemed required, Defendants deny knowledge or information sufficient to form a belief as to the truth of the allegations.

152. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 152 of the Complaint, and on that basis deny the allegations contained therein.

153. With respect to the allegations contained in paragraph 153 of the Complaint which set forth conclusions of law, no response is required. To the extent a response is deemed required, Defendants deny knowledge or information sufficient to form a belief as to the truth of the allegations.

154. With respect to the allegations contained in paragraph 154 of the Complaint which set forth conclusions of law, no response is required. To the extent a response is deemed required, Defendants deny knowledge or information sufficient to form a belief as to the truth of the allegations.

155. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 155 of the Complaint, and on that basis deny the allegations contained therein.

ANSWERING “SEVENTH CAUSE OF ACTION”

156. Defendants repeat and incorporate the answers and allegations set forth at paragraphs 1 through 155 above as if fully set forth herein.

157. Defendants lack knowledge or information sufficient to form a belief as to the truth

of the allegations contained in paragraph 157 of the Complaint, and on that basis deny the allegations contained therein.

158. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 158 of the Complaint, and on that basis deny the allegations contained therein.

159. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 159 of the Complaint, and on that basis deny the allegations contained therein.

160. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 160 of the Complaint, and on that basis deny the allegations contained therein.

161. Defendants deny the allegations contained in paragraph 161 of the Complaint.

162. With respect to the allegations contained in paragraph 162 of the Complaint which set forth conclusions of law, no response is required. To the extent a response is deemed required, Defendants deny knowledge or information sufficient to form a belief as to the truth of the allegations.

163. With respect to the allegations contained in paragraph 163 of the Complaint which set forth conclusions of law, no response is required. To the extent a response is deemed required, Defendants deny knowledge or information sufficient to form a belief as to the truth of the allegations.

164. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 164 of the Complaint, and on that basis deny the allegations contained therein.

165. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 165 of the Complaint, and on that basis deny the allegations contained therein.

PLAINTIFFS' PRAYER FOR RELIEF

The Prayer for Relief requires no response. To the extent any response is deemed required, Defendants deny that Plaintiffs should be granted any of the relief requested in paragraphs “a” through “j”.

ANSWERING “JURY DEMAND”

Defendants state that the Jury Demand does not require a response, and Defendants refer all questions of law to this Honorable Court.

DEFENSES AND AFFIRMATIVE DEFENSES

Defendants assert the following additional defenses to Plaintiffs’ claims. The assertion of such defenses, or the designation of a defense as an “affirmative defense,” does not admit that Defendants have the burden of proving the matter asserted.

**FIRST AFFIRMATIVE DEFENSE
(Failure to State a Claim)**

The Complaint fails to state a claim upon which relief can be granted.

**SECOND AFFIRMATIVE DEFENSE
(Lack of Standing)**

On information and belief, Plaintiffs’ claims are barred, in whole or in part, by their lack of standing to assert a claim for copyright infringement due to defect in ownership of the applicable copyrights in the particular photographs or works, and due to an unenforceable copyright registration.

THIRD AFFIRMATIVE DEFENSE
(Lack of Registration)

On information and belief, Plaintiffs' claims are barred, in whole or in part, by the lack of a valid copyright registration for the photographs or works at issue in this action.

FOURTH AFFIRMATIVE DEFENSE
(Innocent Intent)

Defendants acted at all times with innocent intent, and if Plaintiffs' rights have been violated as alleged in the Complaint, which allegations Defendants deny, such violation was entirely innocent, and Defendants did not intentionally, knowingly, recklessly, maliciously or by gross or ordinary negligence participate in any such alleged violation of Plaintiffs' rights.

FIFTH AFFIRMATIVE DEFENSE
(No Statutory Damages or Attorney's Fees)

On information and belief, Plaintiffs failed to register the photographs or works alleged in the Complaint prior to the first date of Defendants' alleged infringement, and Plaintiffs may therefore not recover statutory damages or attorney's fees for Defendants' alleged infringement of those works.

SIXTH AFFIRMATIVE DEFENSE
(Fair Use)

Without admitting any infringement, which is denied, the Complaint and any purported claims for relief therein fail because, to the extent Plaintiffs' alleged works contain any protectable expression that was used by Defendants, such use is protected, and not actionable, under the doctrine of fair use.

**SEVENTH AFFIRMATIVE DEFENSE
(No Profits)**

Plaintiffs are not entitled to recover any of Defendants' profits because Defendants have no profits attributable to the alleged infringement.

**EIGHTH AFFIRMATIVE DEFENSE
(License)**

Defendants' use was permitted by a valid copyright license, and each and every cause of action asserted against Defendants in the Complaint is barred by license.

RESERVATION OF RIGHT TO AMEND

To the extent Defendants may have other separate and/or additional defenses of which they are not aware, Defendants reserve the right to assert them by amendment to this Answer as discovery continues.

WHEREFORE, Defendants respectfully request that the Complaint asserted against them be dismissed in its entirety and all relief requested therein be denied, and that the Court award Defendants such further relief as the Court deems just and proper.

JURY DEMAND

Pursuant to Rule 38 of the Federal Rules of Civil Procedure, NBCUNIVERSAL MEDIA, LLC, PEACOCK TV LLC, and BELIEVE ENTERTAINMENT GROUP, LLC demand a trial by jury of all causes of action as to which the law entitles them to a trial by jury.

Dated: September 19, 2024

Respectfully submitted,

WILSON ELSER MOSKOWITZ EDELMAN & DICKER LLP

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